

**STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD**



COUNCIL OF HOUSING PROFESSIONALS,

Charging Party,

v.

HOUSING AUTHORITY OF THE CITY OF
LOS ANGELES,

Respondent.

Case No. LA-CE-619-M

PERB Decision No. 2312-M

March 21, 2013

Appearances: City Employees Associates by Michael E. Koskie, Representative, for Council of Housing Professionals; Atkinson, Andelson, Loya, Ruud & Romo by Nathan J. Kowalski and Jay G. Trinnaman, Attorneys, for Housing Authority of the City of Los Angeles.

Before Martinez, Chair; Huguenin and Winslow, Members.

DECISION

WINSLOW, Member: This case is before the Public Employment Relations Board (PERB or Board) on appeal by the Council of Housing Professionals (CHP) from a dismissal of its unfair practice charge filed against the Housing Authority of the City of Los Angeles (HACLA) under the Meyers-Milias-Brown Act (MMBA).¹

The charge as amended alleged that the HACLA violated the MMBA when it involuntarily transferred all members of the union's executive board to work sites that were either unsafe or created longer commutes from the members' homes. The Office of the General Counsel dismissed the charge for failure to state a prima facie case, and the CHP filed a timely appeal.

On March 4, 2013, PERB received CHP's letter dated March 1, 2013, notifying PERB that it wished to withdraw its charge without prejudice.

¹ MMBA is codified at Government code section 3500 et seq. All statutory references are to the Government code unless otherwise indicated.

The Board has discretion to grant or deny requests to withdraw and dismiss cases pending before the Board itself. (PERB Reg. 32320(a)(2) [“The Board itself may: ...take such other action as it considers proper.”]; *State of California (Department of Personnel Administration)* (2010) PERB Decision No. 2152-S; *Grossmont-Cuyamaca Community College District* (2009) PERB Order No. Ad-380; *Oakland Unified School District* (1988) PERB Order No. Ad-171; *ABC Unified School District* (1991) PERB Decision No. 831b.)

Based on our review of the CHP’s request and the entire record in this matter, the Board finds withdrawal of the unfair practice charge to be in the best interests of the parties and consistent with the purposes of the MMBA. Accordingly, the Board grants the CHP’s request to withdraw the charge.

ORDER

The request by the Council of Housing Professionals to withdraw the unfair practice charge in Case No. LA-CE-619-M is hereby GRANTED.

Chair Martinez and Member Huguenin joined in this Decision.